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7 **UNITED STATES DISTRICT COURT**

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8 **DISTRICT OF NEVADA**

9 BAILEY EARL,)
10 Plaintiff,) Case No.: 2:21-cv-00357-JCM-BNW
11 vs.)) **STIPULATED DISCOVERY PLAN**
12 SPILIADIS MANAGEMENT LTD., a)) **AND SCHEDULING ORDER**
13 Nevada Corporation; MANAGED)
14 BUSINESS SERVICES, INC., a Nevada)
15 Corporation; DOES I-X; and ROE Business)
16 Entities I-X,)
Defendants.)

17 IT IS HEREBY STIPULATED by and between Plaintiff Bailey Earl
18 ("Plaintiff"), through her counsel, Kemp & Kemp, and Defendant Spiliadis
19 Management Ltd.¹ ("Defendant"), by and through its counsel, Fisher & Phillips, LLP,
20 and agreed as follows:

21 1. On April 30, 2021, the Court entered an Order granting the parties'
22 Stipulated Discovery Plan and Scheduling Order (ECF No. 16).

23 2. On August 26, 2021, the Court entered a Stipulation and Order to
24 Extend Discovery Deadlines. (ECF No. 20).

25 3. The defense counsel primarily responsible for this matter, Brian
26 Bradford, has accepted in house employment and undersigned counsel, Lisa McClane
27 has had to take over all of his cases, including this one.

28 ¹ Defendant, Managed Business Services, Inc. has been dismissed from this action. (See, ECF No. 14).

1 4. Plaintiff's deposition has been scheduled for November 17, 2021.

2 5. The deposition for Defendant's person most knowledgeable had to be
3 postponed for medical reasons and is now scheduled for November 18, 2021.

4 6. Additionally, the parties have renewed discussions relating to possible
5 resolution.

6 7. This is the second request by the parties to extend the discovery
7 deadlines.

8 8. The parties stipulate and agree to extend the discovery deadlines for
9 ninety (90) days to allow new counsel to get up to speed, the parties to explore
10 resolution, and if resolution is not reached, to coordinate multiple schedules for and
11 conduct necessary depositions in order to fully evaluate the claims and defenses
12 presented. To date,

DISCOVERY COMPLETED TO DATE

14 On April 30, 2021, Plaintiff served his Initial Disclosures.

15 On May 14, 2021, Plaintiff served his First Supplemental Initial Disclosures;
16 and on August 2, 2021, he served his Second Supplemental Initial Disclosures.

17 On May 3, 2021, Defendant served its Initial Disclosures.

18 On April 8, 2021, Plaintiff served his First Set of Requests for documents to
19 Defendant Spiliadis Management Ltd.

20 On May 14, 2021, Defendant served its Responses to Plaintiff's First Set of
21 Requests for Production of Documents.

22 On July 1, 2021, Defendant served its First Set of Requests for Production of
23 Documents to Plaintiff and its First Set of Interrogatories to Plaintiff.

24 On August 2, 2021, Plaintiff served his Responses to Defendant's First Request
25 for Production of Documents and First Set of Interrogatories to Plaintiff

26 On July 31, 2021, Plaintiff served his Notice of Rule 30(b)(6) Deposition of
27 Spiliadis Management, Ltd.

28 The parties are currently working on scheduling witness depositions

1 As of the date of this Stipulation, neither party has propounded any further
2 discovery requests.

3 **STATEMENT OF DISCOVERY THAT REMAINS TO BE COMPLETED**

4 Due to issues with mandatory Covid-19 quarantine and closures, Defendant's
5 primary counsel having to take a medical leave of absence and then accepting another
6 position working in-house, the introduction of new counsel to the case, and scheduling
7 conflicts relating to critical medical care, and renewed resolution discussions, the parties
8 request that the discovery deadline be extended ninety (91) days from **November 19,**
9 **2021 to February 17, 2022.**

10 **PROPOSED SCHEDULE**

11 The parties stipulate and agree that:

12 1. **Discovery:** The discovery period shall be extended ninety-one (91) days
13 from November 19, 2021 to February 17, 2022.

14 2. **Dispositive Motions:** The parties shall have through and including
15 March 20, 2022, to file dispositive motions, which is 31 days after the discovery
16 deadline.

17 3. **Pre-Trial Order:** If no dispositive motions are filed, the Joint Pretrial
18 Order shall be filed thirty (30) days after the date set for the filing of dispositive
19 motions. In the event dispositive motions are filed, the date for filing the Joint Pretrial
20 Order shall be suspended until thirty (30) days after decision on the dispositive motions
21 or by further order of the Court.

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1 4. Extensions or Modifications of the Discovery Plan and Scheduling

2 **Order:** In accordance with Local Rule 26-4, a stipulation or motion for modification or
3 extension of this discovery plan and scheduling order and any deadline contained
4 herein, must be made not later than twenty-one (21) days before the subject deadline.

5 Dated this 27th day of October 2021.

6 FISHER & PHILLIPS, LLP

7 KEMP & KEMP

8 By: /s/ Lisa A. McClane
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10 300 S. Fourth Street #1500
11 Las Vegas, NV 89101
12 Attorneys for Defendant
13 Spiliadis Management, Ltd.

8 By: /s/ James P. Kemp
9 James P. Kemp, Esq.
10 Victoria L. Neal, Esq.
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12 Las Vegas, NV 89130
13 Attorneys for Plaintiff

14 **ORDER**

15 **IT IS SO ORDERED:**

16 
17 UNITED STATES MAGISTRATE JUDGE

18 10/28/2021

19 DATED